



PATENT
Customer No. 22,852
Attorney Docket No. 5725.0945

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Vincent De LAFORCADE) Group Art Unit: 3732
Application No.: 09/902,092) Examiner: R. Doan
Filed: July 11, 2001)
For: FOAM CORE COSMETIC CASE)

*#8
Election
S. Bryce
10/22/02*

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Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In an Office Action dated September 24, 2002, the Examiner required an election of species under 35 U.S.C. § 121 between the species of Fig. 1 and the species of Fig. 2. Applicant provisionally elects to prosecute the species of Fig. 1. Claims 1-12 and 14-17, as apparently renumbered, are "readable" on the elected species. (Applicant presumes that originally-filed claims 17-18 have been renumbered as 16 and 17, respectively, because the original application did not contain a claim numbered as "16.") Contrary to the Examiner's assertion, about no claims being generic, several claims, including at least claims 1 and 4, are generic.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 16, 2002

By: 

Anthony M. Gutowski
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